

PRESIDENT: You started at 10:26 a.m. according to my watch and it's (interruption) 10:30 a.m.

SENATOR SCHMIT: I read the one up front but that is all right. I don't need the time. I would just like to say in this regard, the bill as drafted constitutes the definition of an attached teller facility. That is what it does. You can drag in all the other things you talked about. We have heard them before on this floor. It is not going to be the last fight that we have and I am sure that it wasn't the first but it is not going to make any difference. Each issue must be decided upon its own. I would hope that you would not support Senator Murphy's motion to kill the bill.

PRESIDENT: Senator Goodrich.

SENATOR GOODRICH: Mr. President, members of the body, would Senator Murphy yield to a question please.

SENATOR MURPHY: Yes, sir.

SENATOR GOODRICH: Senator Murphy, you indicated that this bank facility, drive in, walk in facility, was not located as represented? Could you give me an idea just what you mean there. For example, what is the problem with the location of the bank and the drive in facility contrary to what it was represented?

SENATOR MURPHY: If I may, Senator Goodrich, I would direct your attention to the letter from the Director of Banking that is attached to that handout in which he said, and he affirmed that he had the substantive testimony of a member of the Attorney General's staff who participated in that discussion, that upon further investigation he finds that the location is not as was represented to him. I think that is set forth in the letter of the Director.

SENATOR GOODRICH: That is the letter of December 26th?

SENATOR MURPHY: Yes, sir.

SENATOR GOODRICH: Okay, in this material you hand out, for example, two pages behind that, you show a diagram, and I won't be asking you any more questions, Senator Murphy, so you can sit down if you wish, you show a diagram, for example, of Woodmen Tower. You indicate on that diagram that the Omaha National Bank occupies the east half of the Woodmen Tower and that this, for example, is purported to be the reason, for example, for the main bank and the drive in facility not being as originally represented. But, members of the Legislature, what this does is completely ignores the fact that the Omaha National Bank occupies also the west part of the Woodmen Tower and the main executive offices and their loan operation and several other operations do extend to the west end of the Woodmen Tower. Consequently, there is absolutely no misrepresentation as to the location of the drive in facility in proximity to the main bank. If, for example, they did not occupy the west half of the building as they do, then there would be some validity to that argument. But unfortunately, Mr. Ley, who was the Banking Director at that time, apparently never did go into the Omaha National Bank or he would have known, for example, that they go clear to the west wall of that building. I